

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEW JERSEY

Caption in Compliance with D.N.J. LBR 9004-1(b)

Marc Capone, Esq.
Capone & Keefe, PC
60 Highway 71
Spring Lake Heights, NJ 07762

In Re:

Robert & Deborah Fassi



Order Filed on May 24, 2018
by Clerk
U.S. Bankruptcy Court
District of New Jersey

Case No.: 14-35893
~~14-35983~~
Hearing Date: 5/23/18
Chapter: 13
Judge: Ferguson

**ORDER AUTHORIZING
SALE OF REAL PROPERTY**

Recommended Local Form: ☐ Followed ☒ Modified

DATED: May 24, 2018 The relief set forth on the following pages numbered two (2) and three (3) is
ORDERED.


Honorable Kathryn C. Ferguson
United States Bankruptcy Judge

After review of the Debtor's motion for authorization to sell the real property commonly known as 4 Spruce Way, Manalapan, New Jersey (the Real Property).

IT IS hereby **ORDERED** as follows:

1. The Debtor is authorized to sell the Real Property on the terms and conditions of the contract of sale pursuant to 11 U.S.C. §§ 363(b) and 1303.
2. The proceeds of sale must be used to satisfy the liens on the real property unless the liens are otherwise avoided by court order. Until such satisfaction the real property is not free and clear of liens.
3. ☒ In accordance with D.N.J. LBR 6004-5, the *Notice of Proposed Private Sale* included a request to pay the real estate broker and/or debtor's real estate attorney at closing. Therefore the following professional(s) may be paid at closing.

Name of professional: Marc Capone, Esq./ Michael Minervini-Keller Williams

Amount to be paid: \$1,000.00/\$27,000.00-split with participating Broker

Services rendered: Closing attorney/Real Estate Agent

OR: ☐ Sufficient funds may be held in escrow by the Debtor's attorney to pay real estate broker's commissions and attorney's fees for the Debtor's attorneys on further order of this court.

4. Other closing fees payable by the Debtor may be satisfied from the proceeds of sale and adjustments to the price as provided for in the contract of sale may be made at closing.

5. The amount of \$ 32,302.56 claimed as exempt may be paid to the Debtor.

6. The ☐ *balance of proceeds* or the ☒ *balance due on the debtor's Chapter 13 Plan* must be paid to the Chapter 13 Trustee in the Debtor's case.

7. A copy of the HUD settlement statement must be forwarded to the Chapter 13 Trustee 7 days after closing.

8. ☐ The debtor must file a modified Chapter 13 Plan not later than 21 days after the date of this order.

9. Other provisions: Caliber Home Loans will receive its payoff amount with 48 hours of the closing.

Imaged Certificate of Notice Page 4 of 4

United States Bankruptcy Court
District of New JerseyIn re:
Robert Fassi
Deborah Fassi
DebtorsCase No. 14-35893-KCF
Chapter 13**CERTIFICATE OF NOTICE**

District/off: 0312-3

User: admin
Form ID: pdf903Page 1 of 1
Total Noticed: 1

Date Rcvd: May 24, 2018

Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on May 26, 2018.

db/jdb Robert Fassi, Deborah Fassi, 4 Spruce Way, Manalapan, NJ 07726-1820

Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.
NONE. TOTAL: 0

***** BYPASSED RECIPIENTS *****

NONE.

TOTAL: 0

Transmission times for electronic delivery are Eastern Time zone.

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed. R. Bank. P. 2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: May 26, 2018

Signature: /s/Joseph Speetjens**CM/ECF NOTICE OF ELECTRONIC FILING**

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on May 24, 2018 at the address(es) listed below:

Albert Russo docs@russotrustee.com
 Albert Russo (NA) on behalf of Trustee Albert Russo docs@russotrustee.com
 Andrew L. Spivack on behalf of Creditor WELLS FARGO BANK, N.A. D/B/A AMERICAS SERVICING
 COMPANY AS SERVICER FOR U.S. Bank National Association, as Trustee for Adjustable Rate Mortgage
 Trust 20055, Adjustable Rate Mortgage Backed Pass Throug nj.bkecf@fedphe.com
 Andrew L. Spivack on behalf of Creditor CALIBER HOME LOANS, INC. nj.bkecf@fedphe.com
 Andrew L. Spivack on behalf of Creditor CALIBER HOME LOANS, INC., F/K/A VERICREST FINANCIAL,
 INC. nj.bkecf@fedphe.com
 Angela Catherine Pattison on behalf of Creditor HSBC Bank USA, National Association, As
 Trustee for GSAA Home Equity Trust 2005-6, Asset-Backed Certificates, Series 2005-6
 angela.pattison@powerskirn.com, ecf@powerskirn.com
 Denise E. Carlon on behalf of Creditor HSBC Bank USA, National Association, As Trustee for
 GSAA Home Equity Trust 2005-6, Asset-Backed Certificates, Series 2005-6
 bankruptcynotice@zuckergoldberg.com, bkgroup@kmlawgroup.com
 Elizabeth K. Holdren on behalf of Creditor Beachway Townhouse Condominium Association
 eholdren@hillwallack.com, jhanley@hillwallack.com
 Jennifer R. Gorchow on behalf of Creditor CALIBER HOME LOANS, INC. nj.bkecf@fedphe.com
 Loren Rosenberg Lightman on behalf of Creditor Beachway Townhouse Condominium Association
 llightman@hillwallack.com
 Marc C. Capone on behalf of Joint Debtor Deborah Fassi mcapone@caponeandkeefe.com,
 docs@caponeandkeefe.com
 Marc C. Capone on behalf of Debtor Robert Fassi mcapone@caponeandkeefe.com,
 docs@caponeandkeefe.com
 Nicholas J. Purcell on behalf of Creditor Rushmore Loan Management Services as Servicer for
 MTGLQ Investors, LP firm@martonelaw.com/ecf@leopoldassociates.com;mrozea@leopoldassociates.com
 Nicholas J. Purcell on behalf of Creditor Rushmore Loan Management Services LLC, as servicer
 for MTGLQ Investors, LP
 firm@martonelaw.com/ecf@leopoldassociates.com;mrozea@leopoldassociates.com
 R. A. Lebron on behalf of Creditor CALIBER HOME LOANS, INC. bankruptcy@feinsuch.com
 Robert P. Saltzman on behalf of Creditor Green Tree Servicing LLC dnj@pbslaw.org
 Sherri J. Braunstein on behalf of Creditor CALIBER HOME LOANS, INC. nj.bkecf@fedphe.com,
 nj.bkecf@fedphe.com
 William M.E. Powers, III on behalf of Creditor Green Tree Servicing LLC ecf@powerskirn.com
 TOTAL: 18